THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

W.P.No.19988 OF 2005

Dated 16-09-2005

Between:

Naluru Kotaiah, s/o. Ramulu,

40 years, Occ: Agriculture,

Kondepi Mandal, Pitluru Village,

Prakasam District and others

…Petitioners

And

District Collector, Prakasam District

and another.

…Respondents

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ORDER:

The petitioners claim to be the owners of certain properties, abutting the road in Pitluru Village of Prakasham District. Their grievance is that in the matter of making it a C.C. road, the respondents are deviating from the alignment, and trying to demolish the houses belonging to the petitioners.

Heard the learned counsel for the petitioners and learned Government Pleader for Roads and Buildings.

Even according to the petitioners, the respondents are laying a C.C. road, over the existing *Kacha* road. The petitioners cannot have any grievance as long as the C.C. road is laid over the existing *Kacha* road. The respondents, however, cannot deviate from the alignment of the existing road, in the name of making it perfect.
If the respondents are of the view that the alignment of the road has to be changed, and if it becomes necessary to demolish any existing houses, they have to acquire the same in accordance with the provisions of law.

Therefore, the writ petition is disposed of, directing that the respondents shall not deviate from the existing alignment of the road, while making it a C.C. road, and in case they need the premises of the petitioners, or any portion thereof, for that purpose, they shall be entitled to do so, only after acquiring it, in accordance with law. There shall be no order as to costs.

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L. NARASIMHA REDDY, J.

Dt.16-09-2005

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